

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TYLER DIVISION

ADJUSTACAM, LLC  
Plaintiff

VERSUS

AMAZON.COM, INC., ET AL.  
Defendants

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CIVIL ACTION

NO: 6:10-CV-329-LED

JUDGE

**DEFENDANT CONN'S, INC.'S NOTICE OF JOINDER IN DEFENDANT DELL, INC.'S  
CORRECTED MOTION TO DISMISS PLAINTIFF'S ALLEGATIONS OF INDIRECT  
INFRINGEMENT AND WILLFUL INFRINGEMENT FOR FAILURE TO STATE A  
CLAIM**

Defendant CONN'S, INC. ("Conn's") hereby joins Defendant Dell, Inc.'s Corrected Motion to Dismiss Plaintiff's Allegations of Indirect Infringement and Willful Infringement for Failure to State a Claim (Docket No. 164) the associated Notice of Additional Authority Regarding Defendant Dell's Corrected Motion to Dismiss (Docket No. 180) and Dell's Reply In Support of Its Motion to Dismiss Plaintiff's Allegations of Indirect Infringement and Willful Infringement for Failure to State a Claim (Docket No. 273), pursuant to Fed. R. Civ. P. 12(b)(6), and the arguments and authorities found therein.

AdjustaCam LLC's ("AdjustaCam") allegations of indirect infringement against Conn's are substantively the same as those it has asserted against Dell, Inc. ("Dell"), and are deficient for the same reasons set forth in Dell's Motion to Dismiss. *Compare* First Amended Complaint for Patent Infringement (Docket No. 111), ¶ 204 (Conn's) *with* ¶ 92 (Dell); *see also id* at ¶ 224 (Conn's & Dell). Because AdjustaCam has not adequately pled the required facts to support an allegation that Conn's indirectly or willfully infringed the patent-in-suit, its indirect infringement and willful infringement claims against Conn's should be dismissed.

Respectfully submitted,

**LEWIS, BRISBOIS, BISGAARD &  
SMITH, LLP**

BY /s/ *Kent M. Adams* /s/

**KENT M. ADAMS**

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**ATTORNEY FOR DEFENDANT,  
CONN'S, INC.**

**CERTIFICATE OF SERVICE**

I hereby certify that on the 11<sup>th</sup> day of October, 2010, a true and correct copy of the above and foregoing document was filed with the Eastern District of Texas' CM/ECF (federal court electronic filing system), and a copy is to be forwarded this date by the Eastern District to all known attorneys of record.

/s/ *Kent M. Adams* /s/

**KENT M. ADAMS**